

EXHIBIT Z

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

WILLIAM J. WAGNER,

Plaintiff,

STIPULATION

-vs-

Docket No. 15-cv-633-FPG

CHIARI & ILECKI, LLP,

Defendant.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for all parties to this action, that plaintiff, WILLIAM J. WAGNER, will not call Seth J. Andrews, Esq., as a witness at the trial in this matter; and

IT IS FURTHER STIPULATED AND AGREED that plaintiff will not offer as evidence any statements of Seth J. Andrews, Esq., that are inconsistent with plaintiff's responses to defendant's requests for admission, dated November 16, 2016, in connection with any dispositive motions made in this matter; and

IT IS FURTHER STIPULATED AND AGREED that plaintiff's responses to defendant's requests for admission, dated November 16, 2016, may be offered as evidence and read to the jury at the trial in this matter; and

IT IS FURTHER STIPULATED AND AGREED that defendant, CHIARI & ILECKI, LLP, hereby withdraws its notice of the deposition of Seth J. Andrews, Esq., dated October 18, 2016.

DATED: Buffalo, New York
November __, 2016

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November __, 2016

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